

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT COURT OF MISSOURI
SOUTHWESTERN DIVISION**

BRANDI N. PHILLIPS,)	
)	
Plaintiff,)	
)	
vs.)	Case _____
)	
BARRY COUNTY,)	
)	
MICKY EPPERLY, INDIVIDUALLY)	
AND IN HIS OFFICIAL CAPACITY AS)	
BARRY COUNTY SHERIFF,)	
)	
ROBERT EVENSON,)	
)	
JENA SMITH,)	
)	
and,)	
)	
KATHY EMO,)	
)	
Defendants.)	

NOTICE OF REMOVAL

COME NOW Defendants Barry County; Mickey Epperly, individually and in his official capacity as Barry County Sheriff; Robert Evenson; Jena Smith; and Kathy Emo pursuant to § 1446, Title 28, United States Code, and hereby give notice of removal of the civil action filed in the Circuit Court of Barry County, Missouri, Case No. 17BR-CC00002, and, as grounds for removal, state as follows:

1. Plaintiff's Complaint was filed in the Circuit Court of Barry County, Missouri on January 6, 2017. To date, Defendants Barry County; Mickey Epperly, individually and in his official capacity as Barry County Sheriff; Robert Evenson; Jena Smith; and Kathy Emo have not

been served. Accordingly, this Notice of Removal is filed within the limitations contained in 28 U.S.C. § 1446(b).

2. A copy of Plaintiff's Complaint is attached hereto as Exhibit 1. Copies of all other documents filed in this case are attached hereto as Exhibit 2.

3. Count I of Plaintiff's Complaint asserts claims brought under 42 U.S.C. § 2000(e), et seq.

4. Counts IV and V of Plaintiff's Complaint assert claims brought under 42 U.S.C. § 12101, et seq.

5. Counts VI and VII of Plaintiff's Complaint assert claims brought under 42 U.S.C. § 2000, et seq.

6. Accordingly, this Court has original jurisdiction under 28 U.S.C. § 1331.

7. Section 1441(a), Title 28, United States Code, provides that, "[e]xcept as otherwise expressly provided by Act of Congress, any civil action brought in a State court of which the district courts of the United States have original jurisdiction, may be removed by the defendant or the defendants, to the district court of the United States for the district and division embracing the place where such action is pending." Actions asserted by Plaintiff have not been made non-removable by federal law and are not actions described in 28 U.S.C. § 1445. Barry County, Missouri, where the state action is pending, is within the Southwestern Division of the United States District Court for the Western District of Missouri. 28 U.S.C. § 105(b)(2).

WHEREFORE, Defendants Barry County; Mickey Epperly, individually and in his official capacity as Barry County Sheriff; Robert Evenson; Jena Smith; and Kathy Emo pray that this case proceed in the United States District Court for the Western District of Missouri,

Southwestern Division, as an action properly removed thereto, and that this Court assume jurisdiction of this case for trial and determination.

Respectfully submitted,

ENSZ & JESTER, P.C.

/s/ Matthew J. Gist

MATTHEW J. GIST MO #54732

REMINGTON B. SMITH MO #60875

2121 City Center Square

1100 Main Street

Kansas City, MO 64105

Telephone: 816-474-8010

Facsimile: 816-471-7910

Emails: mgist@enszjester.com

rsmith@enszjester.com

ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

I hereby certify that on February 14, 2017, a true and correct copy of the above and foregoing was electronically filed with the United States District Court for the Western District Court of Missouri, Southwestern Division, and emailed to counsel of record.

Michael K. Horn, Esq.

Michael Horn Attorney, LLC

703 S. Business Hwy 65

Branson, MO 65616

Telephone: 417-527-2715

Facsimile: 417-429-2923

Email: michael@hornlawyer.com

ATTORNEY FOR PLAINTIFF

/s/ Matthew J. Gist

ATTORNEYS FOR DEFENDANTS

IN THE CIRCUIT COURT OF BARRY COUNTY, MISSOURI

BRANDI N. PHILLIPS,

Plaintiff,

vs.

Court File No: _____

BARRY COUNTY,

MICKEY EPPERLY, INDIVIDUALLY
AND IN HIS OFFICIAL CAPACITY AS
BARRY COUNTY SHERIFF,**COMPLAINT**
(Demand for Jury Trial)

ROBERT EVENSON,

JENA SMITH,

and,

KATHY EMO,

Defendants.

COMES NOW, comes the Plaintiff, Brandi Phillips, by and through her attorney, Michael K. Horn, of Michael Horn Attorney, LLC, Branson, Missouri, and files the following Complaint under the Pregnancy Discrimination Act, Americans with Disabilities Act, Missouri Human Rights Act, and all other applicable state and federal statutes. Plaintiff demands that this matter be heard by a jury.

Parties

1. The Plaintiff, Brandi Phillips is an adult individual, who currently resides in Washburn, Missouri.

2. The Defendant, Mickey Epperly is an adult individual, who is believed to reside in Barry County, Missouri. He is also the elected Sheriff of Barry County,

Missouri and in that capacity was Plaintiff's employer.

3. The Defendant Robert Evenson is an adult individual, who is believed to reside in Barry County, Missouri. He is also a detective at the Barry County, Missouri Sheriff's Department, Plaintiff's employer.

4. Defendant Kathy Emo is an adult individual, who is believed to reside in Barry County, Missouri. Ms. Emo is the Administrator for the Barry County Sheriff's Department and as such acted as Plaintiff's supervisor and employer.

5. Defendant Jena Smith is an adult individual, who is believed to reside in Barry County, Missouri. Ms. Smith is the Administrative Assistant for the Barry County Sheriff's Department and as such acted as Plaintiff's supervisor and employer.

6. Barry County is a political subdivision within the State of Missouri and was Plaintiff's employer.

Jurisdiction and Venue

7. This is an action under the Pregnancy Discrimination Act, Americans with Disabilities Act, and the Missouri Human Rights Act. Plaintiff seeks declaratory, injunctive, compensatory and punitive relief for Defendants' violations of the aforementioned Acts which lead to Plaintiff's illegal termination from employment after being denied reasonable accommodations and having been retaliated against for her protected actions.

8. Venue is properly laid in this Court, because the Defendants are located within this circuit and a substantial part of the events giving rise to the claim occurred in this circuit.

9. Barry County is a covered employer within the meaning of the Pregnancy Discrimination Act, Americans with Disabilities Act, the Family and Medical Leave Act, Missouri Human Rights Act, and all other relevant Acts, because it is a public agency.

10. At all times relevant to this lawsuit, Plaintiff was a qualified individual with a disability who possessed the requisite qualifications to perform the essential functions of her job and other available jobs, with a reasonable accommodation.

FACTS

11. Brandi Phillips was employed by Barry County in the Sheriff's Office as a secretary.

12. While employed, she was subjected to sexual harassment by other employees. For example, on one occasion Robert Evenson put a bumper sticker on her car that read "I ♥ Crack Whores." Unaware that the sticker was there, Ms. Phillips drove around with the sticker on her car for a short time causing her public ridicule.

13. On another occasion, Robert Evenson, a detective and licensed peace officer, drew a small picture of a woman with a black eye and implied the woman deserved the black eye because she would not stop talking. He explained the drawing was of Ms. Phillips.

14. When Ms. Phillips brought the foregoing harassment to the attention of her supervisors and specifically Defendant Mickey Epperly, nothing was done to address the problem. In fact, rather than address the person responsible, Defendant Epperly told Ms. Phillips she should have a better sense of humor.

15. While employed at the Barry County Sheriff's Office, Ms. Phillips became pregnant and gave birth to a child.

16. While pregnant, Ms. Phillips suffered from gestational diabetes, which complicated her condition.

17. During her pregnancy and shortly after the delivery of her baby, Plaintiff was refused reasonable accommodations to her work schedule, harassed, and retaliated against for her disability.

18. While Ms. Phillips was employed, her supervisors and the Defendants shared her private medical information with other employees who had no legal reasons to have the information.

19. The Defendant failed to post the required information about employee rights in a conspicuous place accessible to all employees, as required by law.

20. The Defendant failed to provide the legally required breaks Plaintiff requested.

21. Plaintiff filed a complaint with the Missouri Commission on Human Rights and the United States Equal Employment Opportunity Commission.

22. On October 7, 2016, the EEOC mailed a Dismissal and Notice of Rights to Plaintiff dismissing her complaint, because it was not filed within the time period allowed by the EEOC. The letter also provided Plaintiff with a right to sue within 90 days of receiving the letter.

COUNT I

(Violation of the Pregnancy Discrimination Act 42 U.S.C. § 2000(e) et seq.)

23. Ms. Phillips incorporates by reference all of the above allegations set forth in this Complaint.

24. Ms. Phillips was a good employee capable of performing her job duties and had done so for some time before she became pregnant.

25. Ms. Phillips was pregnant and diagnosed with gestational diabetes for which she requested reasonable accommodations.

26. After making her request, and during the time while she was disabled Plaintiff was denied the reasonable accommodations she required and was treated differently in her terms, conditions, and privileges of employment.

27. As a result of her complaint, she suffered ongoing harassment and retaliation from fellow employees, supervisors, and Defendants.

28. Plaintiff was ultimately terminated at least in part because of her condition.

29. Defendants, by their failure to provide reasonable accommodations and by treating her differently in her terms, conditions, and privileges of employment, ultimately terminating her employment because of her condition, damaged Plaintiff financially and caused Plaintiff severe emotional distress.

COUNT II

(Missouri Human Rights Act RSMo 213.055.1)

30. Ms. Phillips incorporates by reference all of the above allegations set forth in this Complaint.

31. Ms. Phillips was the victim of sexual harassment on more than one occasion. On one occasion, she had a rude and inappropriate bumper sticker placed on

her car by Robert Evenson. On another occasion, she was ridiculed amongst fellow employees with a small drawing purporting to be her, drawn by Robert Evenson. These and other actions created a hostile work environment for Ms. Phillips.

32. When these issues and others were brought to the attention of her supervisors, nothing was done except to tell Ms. Phillips she needed to have a better sense of humor.

33. As a result of these actions and the Defendants' failure to protect her from this ongoing harassment and retaliation, Ms. Phillips suffered emotional and financial damages.

COUNT III

(Missouri Human Rights Act RSMo 213.070(2))

34. Ms. Phillips incorporates by reference all of the above allegations set forth in this Complaint.

35. Ms. Phillips engaged in a protected activity by complaining to her superior about the discrimination and harassment to which she was being subjected.

36. As a result of her complaint, Plaintiff was subjected to even more harassment and retaliation and was ultimately terminated from her employment.

37. After just having a new baby, Plaintiff found herself unemployed. Plaintiff was thus damaged by this retaliation both emotionally and financially.

COUNT IV

(American with Disabilities Act 42 U.S.C. § 12101 et seq.)

38. Ms. Phillips incorporates by reference all of the above allegations set forth in this Complaint.

39. Ms. Phillips was a good employee capable of performing her job duties and had done so for some time before she became pregnant.

40. Ms. Phillips was pregnant and diagnosed with gestational diabetes for which she requested reasonable accommodations.

41. After making her request, and during the time while she was disabled, Plaintiff was denied the reasonable accommodations she required and was treated differently in her terms, conditions, and privileges of employment.

42. As a result of her complaint, she suffered ongoing harassment and retaliation from fellow employees, supervisors, and Defendants.

43. Plaintiff was ultimately terminated because of her condition.

44. Defendants, by their failure to provide reasonable accommodations and by treating her differently in her terms, conditions, and privileges of employment, ultimately terminating her employment because of her condition, damaged Plaintiff financially and caused Plaintiff severe emotional distress.

COUNT V

(American with Disabilities Act 42 U.S.C. § 12101 et seq.)

45. Ms. Phillips incorporates by reference all of the above allegations set forth in this Complaint.

46. Ms. Phillips engaged in a protected activity by complaining to her superior about the discrimination and harassment to which she was being subjected.

47. As a result of her complaint, Plaintiff was subjected to even more harassment and retaliation and was ultimately terminated from her employment.

48. After just having a new baby, Plaintiff found herself unemployed. Plaintiff was thus damaged by this retaliation both emotionally and financially.

COUNT VI

(Violation of Title VII - 42 U.S.C. § 2000 et seq.)

49. Ms. Phillips incorporates by reference all of the above allegations set forth in this Complaint.

50. Ms. Phillips is a member of a protected group in that she is a female and was also pregnant.

51. Ms. Phillips was the victim of sexual harassment on more than one occasion. On one occasion, she had a rude and inappropriate bumper sticker placed on her car by Robert Evenson. On another occasion, she was ridiculed amongst fellow employees with a small drawing purporting to be her, drawn by Robert Evenson.

52. The acts listed above and other such acts created a hostile work environment for Ms. Phillips.

53. When these issues and others were brought to the attention of her supervisors, Defendants Emo and Epperly, nothing was done except to tell Ms. Phillips she needed to have a better sense of humor.

54. As a result of these actions and the Defendants' failure to protect her from this ongoing harassment and retaliation, Ms. Phillips suffered emotional and financial damages.

COUNT VII

(Violation of Title VII - 42 U.S.C. § 2000 et seq.)

55. Ms. Phillips incorporates by reference all of the above allegations set forth in this Complaint.

56. Ms. Phillips engaged in a protected activity by complaining to her superior about the discrimination and harassment to which she was being subjected.

57. As a result of her complaint, Plaintiff was subjected to even more harassment and retaliation and was ultimately terminated from her employment.

58. After just having a new baby, Plaintiff found herself unemployed. Plaintiff was thus damaged by this retaliation both emotionally and financially.

WHEREFORE, Plaintiff prays this Honorable Court for a Judgment against the Defendant for a sum exceeding \$250,000, for all actual and all consequential damages plus interest at the legal rate of Nine Percent (9%) per annum pre-judgment, from the date the funds were due and payable to Plaintiff; Nine Percent (9%) per annum post-judgment and its costs and disbursements herein, for punitive damages, for attorney fees as provided for by statute, and court costs, as well as such further and other equitable relief as the Court may deem necessary and proper in the circumstances.

Respectfully submitted,

Dated: January 4, 2017

MICHAEL HORN ATTORNEY, LLC.



Michael K. Horn
 MO Bar # 63510
 703 S. Business Highway U.S. 65
 Branson, Missouri 65616
 Phone: 417-527-2715
 Fax: 417-429-2923
 E-mail: Michael@hornlawyer.com
ATTORNEY FOR PLAINTIFF

IN THE CIRCUIT COURT OF BARRY COUNTY, MISSOURI

BRANDI N. PHILLIPS,

Plaintiff,

vs.

Court File No: _____

BARRY COUNTY,

MICKEY EPPERLY, INDIVIDUALLY
AND IN HIS OFFICIAL CAPACITY AS
BARRY COUNTY SHERIFF,

ROBERT EVENSON,

JENA SMITH,

and,

KATHY EMO,

Defendants.

MOTION TO APPOINT SPECIAL PROCESS SERVER

COMES NOW the Plaintiff by an through her attorney of record, Michael K. Horn of Michael Horn Attorney, LLC, and for his Motion To Appoint Special Process Servers, declares to the Court as Follows:

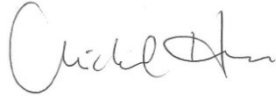
1. Mr. Kemp Horn is not an interested party, nor is he a witness.
2. Mr. Kemp Horn is over the age of eighteen (18) years.
3. Mr. Kemp Horn is willing to serve as the process server in this matter.

WHEREFORE, petitioner prays for this Court to make and enter its Order appointing Mr. Kemp Horn as the special process service in this matter and for such other and further relief as this Court deems just and proper in the premises.

Dated: January 6, 2017

Respectfully submitted,

Michael Horn Attorney, LLC



Michael K. Horn
Missouri Bar #63510
703 S. Business Highway U.S. 65
Branson, Missouri 65616
Tel: 417-527-2715 / fax: 417-429-2923
E-mail: michael@hornlawyer.com
ATTORNEY FOR PLAINTIFF

IN THE CIRCUIT COURT OF BARRY COUNTY, MISSOURI

FILED

Monday, January 09, 2017, 11:54:27

CRAIG WILLIAMS
CIRCUIT CLERK, BARRY COUNTY

BRANDI N. PHILLIPS,

Plaintiff,

vs.

Court File No: _____

BARRY COUNTY,

MICKEY EPPERLY, INDIVIDUALLY
AND IN HIS OFFICIAL CAPACITY AS
BARRY COUNTY SHERIFF,

ROBERT EVENSON,

JENA SMITH,

and,

KATHY EMO,

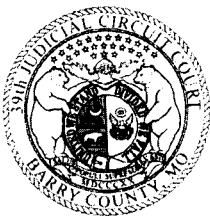
Defendants.

ORDER APPOINTING SPECIAL PROCESS SERVER

IT IS HEREBY ORDERED that Mr. Kemp Horn is hereby appointed as a special process server for the purpose of service of a civil Complaint in the above-styled cause upon the Defendants named above.

So Ordered this 9th day of January, 2017.*Jack A. K. Goodman*_____
Judge

rv






IN THE 39TH JUDICIAL CIRCUIT COURT, BARRY COUNTY, MISSOURI

Judge or Division: JACK AARON LOUIS GOODMAN	Case Number: 17BR-CC00002	(Date File Stamp)
Plaintiff/Petitioner: BRANDI NICOLE PHILLIPS	Plaintiff's/Petitioner's Attorney/Address MICHAEL KEMP HORN 703 S US 65 BUSINESS BRANSON, MO 65616	
Defendant/Respondent: BARRY COUNTY COMMISSION	Court Address: 102 WEST STREET STE 1 CASSVILLE, MO 65625	
Nature of Suit: CC Employmnt Discrmntn 213.111		

Summons in Civil Case

The State of Missouri to: BARRY COUNTY COMMISSION
Alias:
 700 MAIN ST SUITE 2
 CASSVILLE, MO 65625

COURT SEAL OF

BARRY COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

1-10-17 _____
 Date Clerk r v

Further Information:

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.

☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with _____ a person of the Defendant's/Respondent's family over the age of 15 years.

☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).

☐ other _____.

Served at _____ (address)
 in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

 Printed Name of Sheriff or Server Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

(Seal) Subscribed and sworn to before me on _____ (date).

My commission expires: _____
 Date Notary Public

Sheriff's Fees

Summons \$ _____

Non Est \$ _____

Sheriff's Deputy Salary

Supplemental Surcharge \$ 10.00

Mileage \$ _____ (_____ miles @ \$._____ per mile)

Total \$ _____

A copy of the summons and a copy of the petition must be served on **each** Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.




IN THE 39TH JUDICIAL CIRCUIT COURT, BARRY COUNTY, MISSOURI

Judge or Division: JACK AARON LOUIS GOODMAN	Case Number: 17BR-CC00002	(Date File Stamp)
Plaintiff/Petitioner: BRANDI NICOLE PHILLIPS	Plaintiff's/Petitioner's Attorney/Address MICHAEL KEMP HORN 703 S US 65 BUSINESS BRANSON, MO 65616	
Defendant/Respondent: BARRY COUNTY COMMISSION	Court Address: 102 WEST STREET STE 1 CASSVILLE, MO 65625	
Nature of Suit: CC Employmnt Discrmntn 213.111		

Summons in Civil Case

The State of Missouri to: JENA M SMITH
Alias:
505 EAST STREET
CASSVILLE, MO 65625

COURT SEAL OF

BARRY COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

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☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).

☐ other _____.

Served at _____ (address)
in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

(Seal) Subscribed and sworn to before me on _____ (date).

My commission expires: _____
Date Notary Public

Sheriff's Fees

Summons	\$ _____
Non Est	\$ _____
Sheriff's Deputy Salary	
Supplemental Surcharge	\$ 10.00
Mileage	\$ _____ (_____ miles @ \$. _____ per mile)
Total	\$ _____

A copy of the summons and a copy of the petition must be served on **each** Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.




IN THE 39TH JUDICIAL CIRCUIT COURT, BARRY COUNTY, MISSOURI

Judge or Division: JACK AARON LOUIS GOODMAN	Case Number: 17BR-CC00002	(Date File Stamp)
Plaintiff/Petitioner: BRANDI NICOLE PHILLIPS	Plaintiff's/Petitioner's Attorney/Address MICHAEL KEMP HORN 703 S US 65 BUSINESS BRANSON, MO 65616	
Defendant/Respondent: BARRY COUNTY COMMISSION	Court Address: 102 WEST STREET STE 1 CASSVILLE, MO 65625	
Nature of Suit: CC Employmnt Discrmntn 213.111		

Summons in Civil Case

The State of Missouri to: KATHY J EMO
505 East Street
CASSVILLE, MO 65625

Alias:



COURT SEAL OF
CIRCUIT COURT OF MISSOURI
BARRY COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

1-10-17 _____
Date Clerk rv

Further Information:

Sheriff's or Server's Return

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☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).

☐ other _____.

Served at _____ (address)

in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

(Seal) Subscribed and sworn to before me on _____ (date).

My commission expires: _____
Date Notary Public

Sheriff's Fees

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Non Est	\$ _____
Sheriff's Deputy Salary	
Supplemental Surcharge	\$ 10.00
Mileage	\$ _____ (_____ miles @ \$. _____ per mile)
Total	\$ _____

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Judge or Division: JACK AARON LOUIS GOODMAN	Case Number: 17BR-CC00002	(Date File Stamp)
Plaintiff/Petitioner: BRANDI NICOLE PHILLIPS	Plaintiff's/Petitioner's Attorney/Address MICHAEL KEMP HORN 703 S US 65 BUSINESS BRANSON, MO 65616	
Defendant/Respondent: BARRY COUNTY COMMISSION	Court Address: 102 WEST STREET STE 1 CASSVILLE, MO 65625	
Nature of Suit: CC Employmnt Discrmntn 213.111		


Summons in Civil Case

The State of Missouri to: MICK EPPERLY
Alias:
505 E St.
CASSVILLE, MO 65625

COURT SEAL OF

BARRY COUNTY

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1-10-17
Date


Clerk

RV

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☐ other _____.

Served at _____ (address)
in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

(Seal) Subscribed and sworn to before me on _____ (date).

My commission expires: _____
Date Notary Public

Sheriff's Fees

Summons \$ _____

Non Est \$ _____

Sheriff's Deputy Salary

Supplemental Surcharge \$ 10.00

Mileage \$ _____ (_____ miles @ \$._____ per mile)

Total \$ _____

A copy of the summons and a copy of the petition must be served on **each** Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.




IN THE 39TH JUDICIAL CIRCUIT COURT, BARRY COUNTY, MISSOURI

Judge or Division: JACK AARON LOUIS GOODMAN	Case Number: 17BR-CC00002
Plaintiff/Petitioner: BRANDI NICOLE PHILLIPS	Plaintiff's/Petitioner's Attorney/Address MICHAEL KEMP HORN 703 S US 65 BUSINESS BRANSON, MO 65616
Defendant/Respondent: BARRY COUNTY COMMISSION	Court Address: 102 WEST STREET STE 1 CASSVILLE, MO 65625
Nature of Suit: CC Employmnt Discrmntn 213.111	(Date File Stamp)

Summons in Civil Case

The State of Missouri to: ROBERT EVENSON
Alias:
 505 East Street
 Cassville, Mo. 65625

COURT SEAL OF

BARRY COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

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☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to _____ (name) _____ (title).

☐ other _____.

Served at _____ (address)
 in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server _____ Signature of Sheriff or Server _____

Must be sworn before a notary public if not served by an authorized officer:

(Seal) Subscribed and sworn to before me on _____ (date).

My commission expires: _____ Date _____ Notary Public _____

Sheriff's Fees

Summons \$ _____

Non Est \$ _____

Sheriff's Deputy Salary

Supplemental Surcharge \$ 10.00

Mileage \$ _____ (_____ miles @ \$._____ per mile)

Total \$ _____

A copy of the summons and a copy of the petition must be served on **each** Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.